

## **REMARKS**

The enclosed is responsive to the Examiner's Office Action mailed on November 6, 2007. At the time the Examiner mailed the Office Action claims 1-9 are pending, and 16-20 are withdrawn. By way of the present response the Applicants have: 1) amended no claims; 2) added no claims; and 3) canceled claims no claims. As such, claims 1-9 are now pending.

### **35 U.S.C. § 102 Rejections**

Claims 1-7 stand rejected under 35 U.S.C. §102(a) as being anticipated by Hendrickson, et al., U.S. Patent No. 6,754,470 (hereinafter "Hendrickson"). Applicants respectfully disagree with the reasons for rejection set forth in the office action. Specifically, Hendrickson does not disclose or suggest receiving from a wireless network an inquiry generated by a first user of the wireless network, the inquiry having predetermined responses associated therewith, and receiving from the wireless network an attribute provided by the first user as a criteria for identifying recipients of said inquiry as recited in Claim 1.

The portions of Hendrickson said to contain the features recited above are as follows:

#### **5. User Identification Module (UIM)**

The UIM 230 is responsible for collecting data from the user of the wireless device 100 through invoking a questionnaire in certain circumstances and prompting the wireless user to input desired information. Examples of information collected by the UIM 230 include User name, Date of birth, Sex, Race, Income, Address, Marital status, Education, Occupation, and User authentication or password. 6. (Hendrickson, Col. 11, lines 36-40)

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At 950, a data warehouse/mining application processes the collected data stored in the database to generate information including usage, service functionality, network and device performance metrics. This process may include: sorting through collected data to ascertain demographic profiles of panel members and related location/market information; analyzing usage behavior of panel members or aggregating groups of panelists, including but not limited to metrics such as share of messaging by voice, microbrowsing, SMS, e-mail and secure transactions; analyzing peak/off-peak usage patterns of panel members as well as average usage days per given period of time; . . .  
(Hendrickson, Col. 15, lines 8-16)

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Data Traffic Report:  
Mix of messaging activity (or sessions) by SMS, e-mail, web visits, web downloads, m-commerce transactions . . .  
(Hendrickson, Col. 16, lines 15-16)

Thus, Hendrickson discloses that a “user identification module” collects data from the user of a particular wireless device by invoking a questionnaire and that a data warehouse/mining application stores and analyzes the data. However, Hendrickson does not describe that the questionnaire is created by a user of the wireless network for other users of the wireless network, nor does Hendrickson discuss that the other users are identified using an attribute supplied by the first user. While it is true that Hendrickson describes email in a general way, Hendrickson does not describe how email might be used within the context of these claimed features. For example, Hendrickson does not disclose or suggest how to identify recipients to an emailed questionnaire using an attribute (nor does Hendrickson even suggest sending a questionnaire and receiving responses via email).

Consequently, because Hendrickson does not disclose or suggest features recited in Claim 1, Applicants respectfully submit that Claim 1 allowable under 35 U.S.C. § 102.

### **35 U.S.C. § 103 Rejections**

Claims 8-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hendrickson, as applied above and De Vries, U.S. Patent No. 6,968,179 (hereinafter "De Vries"). Applicants respectfully submit that De Vries in combination with Hendrickson do not teach or suggest the features described above with respect to Claim 1. Specifically, these references do not teach or suggest receiving from a wireless network an inquiry generated by a first user of the wireless network, the inquiry having predetermined responses associated therewith, and receiving from the wireless network an attribute provided by the first user as a criteria for identifying recipients of said inquiry as recited in Claim 1.

For the foregoing reasons, Applicants respectfully submit that Claim 1 is in condition for allowance. Because Claims 2-9 include all of the features of Claim 1 and additional features, Applicants respectfully submit that all claims are in condition for allowance.

## **CONCLUSION**

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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/Thomas C. Webster/

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